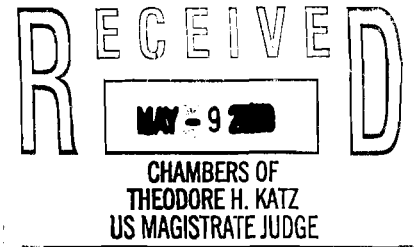




STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL



ANDREW M. CUOMO
Attorney General

CRIMINAL DIVISION
Federal Habeas Corpus Section

Writer's Direct Telephone No.
(212) 416-8871

May 8, 2008

By Hand

Hon. Theodore H. Katz
United States Magistrate Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

MEMO ENDORSED

Re: Mark Collins v. Dale Artus
07-CV-9463 (BSJ)(THK)

Your Honor:

I am an Assistant Attorney General in the office of Andrew Cuomo, Attorney General of the State of New York, and I will be representing respondent in the above-referenced habeas corpus matter. I am writing to request an extension of time in which to respond to Mr. Collin's habeas petition.

I am currently extremely backlogged in my casework due to my office being temporarily short staffed. I am presently assigned to respond to five additional habeas corpus petitions in May and six in June. I am also assigned to respond to a People's appeal that is due on June 3, 2008. Additionally, I am preparing for an evidentiary hearing scheduled for May 20, 2008.

This is my second request for an extension. While I genuinely apologize for the delay, I am respectfully requesting an additional thirty-day extension, until June 12, 2008 to file my response. Your consideration in this matter would be greatly appreciated.

*The response to the Petition
shall be filed by June 12, 2008.
Any reply by Petitioner
shall be filed by June 30, 2008.*

Respectfully submitted,
Leilani Rodriguez
Leilani Rodriguez
Assistant Attorney General

SO ORDERED

5/12/08 Theodore H. Katz

120 Broadway, New York, NY 10271 Tel: (212) 416-8010

THEODORE H. KATZ
UNITED STATES MAGISTRATE JUDGE